

**CERTIFICATE OF ELECTRONIC
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I hereby certify that this correspondence for Application No. 10/726,329 is being electronically transmitted to Technology Center 3733, via EFS-WEB, on September 26, 2007.

/David H. Brinkman/ 9/26/07
David H. Brinkman, Reg. No. 40,532 Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Erik E. Emstad et al.
Serial No.: 10/726,329
Filed: December 1, 2003
Confirmation No.: 3659
Group Art Unit: 3733
Examiner: Swiger III, James L.
Title: **SPINAL ACCESS INSTRUMENT**
Atty Docket: ZMS-MI18US

Cincinnati, Ohio 45202

September 26, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action mailed on March 26, 2007, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.